

It is noted that Applicants' representatives conducted an interview with the Examiner and the Examiner's supervisor on May 13, 2002, to discuss the restriction and election of species requirements, the 35 U.S.C. 102(e) rejection in light of U.S. Patent No. 6,154,688 to Dominke et al (hereinafter "Dominke"), and the 35 U.S.C. § 112 rejections of claims 1, 11, and 21. Applicants sincerely appreciate the opportunity for the interview.

With respect to the restriction and election of species requirements, the Examiners gave further explanation regarding this requirement, originally set forth in the Office Action mailed October 10, 2001, and made final in the last Office Action. Applicants requested clarification and reconsideration during the interview, whereupon the Examiner's supervisor suggested to Applicants representatives to set forth in this response reasons and arguments in favor of withdrawing the requirement. Applicants have provided such explanation and argument below and respectfully request <sup>that</sup> the requirement be withdrawn.

Finally, Claims 1 and 11 were further rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite. The Examiner also rejected claim 21 under 35 U.S.C. § 112, ¶ 2 as being indefinite, and further, asserted that the claim is an omnibus type claim. During the interview, Applicants' representatives and the Examiners discussed this rejection. The amendments made herein are respectfully deemed to overcome this ground of rejection.

*more clearly ~~state~~ define the invention.*

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**Requirements for Restriction and Election of Species**

Applicants request reconsideration of the restriction and election of species requirements made final in the last Office Action. During the interview, Applicants pointed out that they interpreted the Office Action as requiring both restriction between inventions, as well as election of species. The Examiners pointed out that only an election of species requirement was intended to be imposed by the Office Action. Accordingly, the Examiners invited Applicants to submit arguments against the impropriety of the election of species requirement.

First, Applicants disagree with the characterizations made by the Examiner in the previous Office Actions. The claims are being improperly construed to cover subject matter that conflicts with the claim language. For example, claims 1-10 recite a "vehicle information processing method," (Emphasis added). However, the Examiner characterized these claims as "system" claims. Applicants respectfully request reconsideration on this issue, for the Examiner required election of species for improperly characterized inventions. Furthermore, in ¶ 2 of Paper No. 2, the Examiner discusses how each invention lacks certain attributes of other inventions. Applicants do not agree with the Examiner's analysis as so outlined and submit that this analysis is improper for determining "patentably distinct species." In one such example, on page 3 of Paper No. 2, the Examiner states that "Invention IV lacks Invention I." This analysis cannot be sustained, as all claims in Invention IV depend upon claims in Invention I. Therefore, Invention IV cannot "lack" Invention I. Further, in order to establish "patentably distinct species" the Examiner's analysis is not adequate, as inventions

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"lacking" other inventions is not a thorough analysis for obviousness. Applicants submit that the groupings of inventions characterized by the Examiner are not appropriate to sustain an election of species requirement.

In addition, there would be no burden on the Examiner to examine all of the claims in this application on its merits. M.P.E.P § 803 reads that "if the search and examination of the entire application can be made without serious burden, the examiner must examine it on the merits." (Emphasis added). Applicants respectfully request that this requirement should be applied in the present application to avoid unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office.

In view of the above, Applicants respectfully request the withdrawal of the election of species requirement.

**35 U.S.C. § 112**

In the Office Action, the Examiner rejected claims 1 and 11 under 35 U.S.C. § 112, ¶ 2 as being indefinite. Further, the Examiner objected to these claims for informalities. Claims 1 and 11 have been amended to attend to the informalities. The Examiner also rejected claim 21 under 35 U.S.C. § 112, ¶ 2 as being indefinite, and further, asserted that the claim is an omnibus type claim. Applicants disagree with the Examiner's characterization that claim 21 is an omnibus type claim. Nevertheless, in order to advance prosecution, Applicants amend claim 21 to more appropriately claim the invention. *has been added* No new ~~subject~~ ~~matter is raised~~ by these amendments.

Therefore, in light of the claim amendments, Applicants respectfully request the withdrawal of these and all rejections and allow pending claims 1-21.

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**35 U.S.C. § 102(e)**

The Examiner rejected claims 1 and 11 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,154,688 to Dominke et al. During the May 13, 2002, interview, the Examiner and Examiner's supervisor recognized patentable subject matter in claims 1 and 11 despite Dominke. Therefore, Applicants respectfully request that claims 1 and 11 be formally allowed. In addition, due at least to their respective dependency on allowable independent claims 1 and 11, claims 2-20, and 12-20 should also be allowed.

Applicants also note that the Office Action does not indicate a rejection of claim 21 over the prior art, as confirmed by the Examiners during the interview.

**CONCLUSION**

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of pending claims 1-21.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: June 13, 2002

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## APPENDIX TO AMENDMENT OF JUNE 13, 2002

### Amendments to the Claims

1. (Amended) A vehicle information processing method for [use upon] processing [of] diversified pieces of information in a vehicle, including a message [arriving at and/or generated in a vehicle] comprising at least one of a message arriving at the vehicle and a message generated in the vehicle, comprising:

integrating said diversified pieces of information;

[and] providing each of the integrated pieces of information with a priority order indicating an importance of each piece of information; and

when one or [two or] more pieces of information [arrive at and/or are generated in] are processed in said vehicle, allocating [an appropriate resource] one or more appropriate resources selected from [the] a plurality of diversified resources [for using the generated information to the generated information] to the integrated pieces of information according to the priority order given to the [generated] integrated pieces of information.

4. (Amended) A vehicle information processing method according to claim 1 wherein the diversified resources [for using the information generated in said vehicle] include one or [two or] more information communicating means prepared for each organ of sense so as to communicate the information to a driver by appealing to a combination of one or more organs of sense.

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5. (Amended) A vehicle information processing method according to claim 4 wherein the diversified resources [for using the information generated in said vehicle] include one or [two or] more information communicating styles corresponding to [the] a characteristic of each information communicating means.

6. (Amended) A vehicle information processing method according to claim 4 wherein the diversified resources [for using the information generated in said vehicle] include an information communicating style suitable for the driver to grasp a situation.

7. (Amended) A vehicle information processing method according to claim 4 wherein the diversified resources [for using the information generated in said vehicle] include an information communicating style suitable for the driver to recognize a reaction which he should take.

8. (Amended) A vehicle information processing method according to claim 4 wherein, when communicating the information to the driver using an appropriate resource selected from said diversified resources, a combination of one [or two] or more appropriate resources is selected from said diversified resources based on a combination of one [ or two] or more of the quantity of information to be communicated, a content thereof, an appropriate communication timing, importance of said information and information communicating capacity inherent of each of said diversified resources, so as to communicate the information to the driver using the selected resources.

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9. (Amended) A vehicle information processing method according to claim 1 wherein the diversified resources [for using the information generated in said vehicle] include a self-traveling control means having a function for controlling self-traveling of said vehicle based on the same information.

10. (Amended) A vehicle information processing method according to claim 9 wherein said self-traveling control means has a function for controlling at least one of a speed of said vehicle and a steering angle thereof based on said information [generated in the vehicle] so as to aim at the self-traveling of said vehicle.

11. (Amended) A vehicle information processing apparatus [having a function] for processing diversified pieces of information in a vehicle, including a message [ arriving at and/or generated in a vehicle] comprising at least one of a message arriving at the vehicle and a message generated in the vehicle, comprising:

a priority order control means for integrating said diversified pieces of information and providing each of the integrated pieces of information with a priority order indicating an importance of each piece of information [so as to control the priority orders]; and

a resource allocation control means for, when one or [two or] more pieces of information [arrive at and/or are generated in] are processed in said vehicle, allocating [an appropriate resource] one or more appropriate resources selected from [the] a plurality of diversified resources [for using the generated information to the generated

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information] to the integrated pieces of information according to the priority order given to the [generated] integrated pieces of information.

14. (Amended) A vehicle information processing apparatus according to claim 11 wherein the diversified resources [for using the information generated in said vehicle] include one or [two or] more information communicating means prepared for each organ of sense so as to communicate the information to a driver by appealing to a combination of one or more organs of sense.

15. (Amended) A vehicle information processing apparatus according to claim 14 wherein the diversified resources [for using the information generated in said vehicle] include one or [two or] more information communicating styles corresponding to[ the] a characteristic of each information communicating means.

16. (Amended) A vehicle information processing apparatus according to claim 14 wherein the diversified resources [for using the information generated in said vehicle] include an information communicating style suitable for the driver to grasp a situation.

17. (Amended) A vehicle information processing apparatus according to claim 14 wherein the diversified resources [for using the information generated in said

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vehicle] include an information communicating style suitable for the driver to recognize a reaction which he should take.

18. (Amended) A vehicle information processing apparatus according to claim 14 wherein said resource allocation control means, when allocating appropriate resources for communicating the information which is an objective of communication, selects a combination of one [ or two] or more appropriate resources from said diversified resources, based on a combination of one [ or two] or more of the quantity of information, a content thereof, an appropriate communication timing and importance of said information and information communicating capacity inherent of each of said diversified resources and

said information communicating means selected by said resource allocation control means communicates the information to the driver using the resources selected by said resource allocation control means.

19. (Amended) A vehicle information processing apparatus according to claim 11 wherein the diversified resources [ for using the information generated in said vehicle] include a self-traveling control means having a function for controlling self-traveling of said vehicle based on the same information.

20. (Amended) A vehicle information processing apparatus according to claim 19 wherein said self-traveling control means has a function for controlling at least

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one of a speed of said vehicle and a steering angle thereof based on said information [generated in the vehicle] so as to aim at the self-traveling of said vehicle.

21. (Amended) A vehicle [loaded with the vehicle information processing apparatus according to claim 11.] and a vehicle information processing apparatus for processing diversified pieces of information, including a message comprising at least one of a message arriving at the vehicle and a message generated in the vehicle, comprising:

a priority order control means for integrating said diversified pieces of information and providing each of the integrated pieces of information with a priority order indicating an importance of each piece of information; and

a resource allocation control means for, when one or more pieces of information are processed in the vehicle, allocating one or more appropriate resources selected from a plurality of diversified resources to the integrated pieces of information according to the priority order given to the integrated pieces of information.

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